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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,588	12/15/2003	Akihiko Maruyama	SE-US035175	1408
22919	7590	08/28/2006	EXAMINER	
GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680			KAYES, SEAN PHILLIP	
			ART UNIT	PAPER NUMBER
			2841	

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/734,588	MARUYAMA ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Sean Kayes	2841

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 15 December 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 20 May 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/21/04 5/07/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 7 is objected to because of the following informalities:

The examiner cannot discern the intended claim limitations of claim 7. More specifically the examiner is confused over the usage of the word index in the "index section." The indexes on analog clocks refer to the markings that indicate the hours and/or minutes. This is inconsistent with the usage of the word in claim 7, which recites controlling the index section. Applicant is requested to clarify the intended meaning.

Appropriate correction is required.

### ***Information Disclosure Statement***

2. The information disclosure statement filed 5/7/2004 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the provided explanations of the patents are not adequate to explain the relevance of the publications (for which no English translation was received.) It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Applicant is encouraged to submit a translation of the documents.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 9, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated

by Okuyama (US 5262763.)

5. With respect to claim 1 Okuyama discloses a portable information device, comprising: a flip-type casing (figure 4) having opened and closed positions; an internal display (11 figure 5 or 5 figure 3) section positioned in an internal portion of the casing that is hidden when the casing is in the closed position, said internal display section being configured and arranged to display time (5 figure 15b) when the casing is in the opened position; and an analog clock (2 figure 15a) with an index section positioned in an external portion of the casing to display time that is synchronized with the time displayed in said internal display section.

6. With respect to claim 2 Okuyama discloses the portable information device as recited in claim 1 wherein said analog clock includes a circuit board that is electrically connected to a circuit board of the portable information device (20, 23, 24, 27, 33, and 35 figure 6.)

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7. With respect to claim 9 Okuyama discloses the portable information device as recited in claim 1, further comprising an integrated circuit (figure 6) configured and arranged to control displaying of the time in said internal display section and in said analog clock.

8. With respect to claim 13 Okuyama discloses a portable information device, comprising: a flip-type casing having opened and closed positions: an internal display (5 and 11 figure 6) section positioned in an internal portion of the casing that is hidden when the casing is in the closed position, said internal display section being configured and arranged to display time when the casing is in the opened position; an analog clock (25 and 26 figure 6 and 2 figure 1) with an index section positioned in an external portion of the casing; and an integrated circuit (figure 6) configured and arranged to control displaying of the time in said internal display section and in said analog clock, said analog clock being configured and arranged to be driven according to output signals from said integrated circuit that counts the time displayed in said internal display section (21-27 figure 6.)

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Okuyama and Sekiya**

10. Claims 3-6 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuyama (US 5262763) in view of Sekiya (US 4246602.)

11. With respect to claim 3 Okuyama discloses the portable information device as recited in claim 1.

Okuyama does not disclose wherein the device further comprising a time adjusting section configured and arranged to adjust the time displayed in said internal display section and the time displayed by said analog clock in an interdependent manner.

Sekiya (US 4246602) teaches an electronic timepiece with a digital display and an analog display that comprises a time adjusting section configured and arranged to adjust the time displayed in said internal display section and the time displayed by said analog clock in an interdependent manner.

At the time of the invention it would have been obvious to one skilled in the art to provide Okuyama's invention with Sekiya's time adjusting section.

The suggestion or motivation would be to allow the displayed time in Okuyama's invention to be adjusted.

12. With respect to claim 4 Okuyama discloses the portable information device as recited in claim 1.

Okuyama does not disclose wherein the device comprises a, time adjusting section configured and arranged to adjust the time displayed in said internal display section and the time displayed by said analog clock independently.

Sekiya teaches allowing the time to be corrected independently for the purposes of setting time zone differences (column 2 line 65 through column 3 line 3.)

At the time of the invention it would have been obvious to one skilled in the art to provide Okuyama's invention with Sekiya's time adjusting section.

The suggestion or motivation would be to allow the displayed time in Okuyama's invention to be adjusted independently so as to display times in more than one time zone.

13. With respect to claim 5 Okuyama and Sekiya teach the portable information device as recited in claim 3, wherein said time adjusting section is configured and arranged to adjust the time displayed by said analog clock when the time displayed in said internal display section is adjusted. (Column 1 lines 40-46, Sekiya.)

14. With respect to claim 6 Okuyama and Sekiya teach the portable information device as recited in claim 3, further comprising an operation section (29 or 30 figure 6) configured and arranged to input an operation signal upon a user operating said operation section, said time adjusting section being further configured and arranged to adjust the time displayed in said internal display section in response to the operation signal input from the operation section. (Okuyama's invention is controlled by the operation of buttons, for instance 29 and 30 figure 6. The time adjustment section provided by Sekiya is intended to operate by user control. One of ordinary skill in the art would have combined the two inventions such that the user operation section in

Okuyama would control said time adjustment section. The reason to do so would be to provide a means of control for said time adjustment section.)

15. With respect to claim 14 Okuyama discloses the portable information device as recited in claim 13.

Okuyama does not disclose a time adjusting section configured and arranged to adjust the time displayed in said internal display section and the time displayed by said analog clock in an interdependent manner.

Sekiya (US 4246602) teaches an electronic timepiece with a digital display and an analog display that comprises a time adjusting section configured and arranged to adjust the time displayed in said internal display section and the time displayed by said analog clock in an interdependent manner.

At the time of the invention it would have been obvious to one skilled in the art to provide Okuyama's invention with Sekiya's time adjusting section.

The suggestion or motivation would be to allow the displayed time in Okuyama's invention to be adjusted.

16. With respect to claim 15 Okuyama and Sekiya teach the portable information device as recited in claim 13, further comprising a time adjusting section configured and arranged to adjust the time displayed in said internal display section and the time displayed by said analog clock independently. (The analog clock has a separate mechanical correction means 30 figure 3 for adjusting the analog time without adjusting

the digital time. Additionally, Sekiya discusses allowing the two times to be adjusted separately for the purposes of indicating dual time zones, column 2 line 65 through column 3 line 3.

17. With respect to claim 16 Okuyama and Sekiya teach the portable information device as recited in claim 13, further comprising an operation section configured and arranged to input an operation signal upon a user operating said operation section, said time adjusting section being further configured and arranged to adjust the time displayed in said internal display section in response to the operation signal input from the operation section (28 figure 3 and 30 figure 3 in Sekiya are controlled by user input.)

### **Okuyama, Sekiya, and Okeya**

18. Claims 7-8 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuyama (US 5262763) and Sekiya (US 4246602) in further view of Okeya (US 20040037172.)

19. With respect to claim 7 Okuyama and Sekiya teach the portable information device as recited in claim 3.

Okuyama does not disclose wherein said time adjusting section is further configured and arranged to control said index section of said analog clock such that said index section of said analog clock is moved to an initial position before said index section of said analog clock is moved to display an adjusted time.

Okeya teaches a time adjustment method wherein the clock hands are moved to an initial position before being moved to an adjusted time. Paragraph 12 page 2, discusses wherein the hands are forwarded around the dial once (past an initial position, i.e. 12:00) to a corrected time. After this a measurement of the elapsed time (during time correction is performed) and another adjustment is performed. Given this explanation of the method, either the "master position" or an arbitrary initial position i.e. 12:00 would constitute the "initial position" as recited in the claim limitation.

At the time of the invention it would have been obvious to one skilled in the art to correct Okuyama's time according to Okeya's correction method.

The suggestion or motivation for doing so is to take into account the amount of time spent correcting the time, thus reducing error.

20. With respect to claim 8 Okuyama and Sekiya teach the portable information device as recited in claim 7, further comprising a displacement correcting section configured and arranged to correct a displacement between said index section and said initial position when said index section is displaced from said initial position after said time adjusting section controls said index section to move said index section to said initial position. (Okeya page 2 column 12 and see the discussion in the rejection to claim 7. As it pertains to claim 8 the "initial position" of the claim language corresponds to the "master position" of the discussion in Okeya.)

21. With respect to claim 17 Okuyama and Sekiya teach the portable information device as recited in claim 13, wherein said time adjusting section is further configured and arranged to control said index section of said analog clock such that said index section of said analog clock is moved to an initial position before said index section of said analog clock is moved to display an adjusted time (Please see 103 rejection to claim 7 above.)

**Okuyama, Sekiya, and Richardson**

22. Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuyama (US 5262763) and Sekiya (US 4246602) in further view of Richardson (US 20030063525.)

23. With respect to claim 10 Okuyama and Sekiya teach the portable information device as recited in claim 9, further comprising an index driving section (21-27 figure 6) configured and arranged to drive the index section of said analog clock according to output signals from the integrated circuit.

Okuyama does not teach said time adjusting section further including a detecting section configured and arranged to detect current position of said index section, an index driving control section configured and arranged to control said index driving section to move said index section from said current position based on the result detected by said detecting section so that said index section displays an adjusted time.

Richardson teaches a detecting section Q3 and Q4 figure 1 for determining the position of the hands and providing that information for the purposes of correcting time, i.e. after a power outage.

At the time of the invention it would have been obvious to one skilled in the art to use a detecting section as taught by Richardson in Okuyama and Sekiya's invention.

The suggestion or motivation for doing so would be to allow the system to determine the position of the hands after a power outage so that they can be adjusted appropriately.

24. With respect to claim 18 Okuyama and Sekiya teach the portable information device as recited in claim 13, further comprising an index driving section configured and arranged to move the index section of said analog clock according to output signals from the integrated circuit (22-27 figure 6)

Okuyama does not disclose said time adjusting section further including a detecting section configured and arranged to detect current position of said index section, an index driving control section configured and arranged to control said index driving section to move said index section from said current position based on the result detected by said detecting section so that said index section displays an adjusted time.

Richardson teaches a detecting section Q3 and Q4 figure 1 for determining the position of the hands and providing that information for the purposes of correcting time, i.e. after a power outage.

At the time of the invention it would have been obvious to one skilled in the art to use a detecting section as taught by Richardson in Okuyama and Sekiya's invention.

The suggestion or motivation for doing so would be to allow the system to determine the position of the hands after a power outage so that they can be adjusted appropriately.

**Okuyama, Sekiya, Richardson, and Okeya**

25. Claims 11-12 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okuyama (US 5262763), Sekiya (US 4246602) and Richardson (US 20030063525) in further view of Okeya (US 20040037172.)

26. With respect to claim 11 Okuyama, Sekiya, and Richardson teach the portable information device as recited in claim 10, wherein said index section includes a plurality of hands figure 1.

Okuyama does not teach wherein said index driving section is configured and arranged to move each of said hands of said index section independently.

Moving each of said hands independently is notoriously well known in the art as is evidenced by Okeya.

At the time of the invention it would have been obvious to one skilled in the art to control the different arms independently.

The suggestion or motivation would be to allow the time to be set more easily, to reduce the number of gears needed and thus simplify the internal structure, and/or to allow the hands to be used to measure different amounts of time (i.e. the hour hand

measure absolute time while the minute hand measures an interval of time such as a race.)

27. With respect to claim 12 Okuyama, Sekiya, Richardson, and Okeya teach the portable information device as recited in claim 10, wherein said index section includes at least a second hand and an additional hand, said index driving section is configured and arranged to include a first driving section configured and arranged to move said second hand and a second driving section configured and arranged to move said additional hand independently from said second hand. (71 and 72 figure 1 of Okeya.) Okuyama does not teach a seconds hand.

Okeya teaches a seconds hand.

At the time of the invention it would have been obvious to one skilled in the art to provide a seconds hand in Okuyama's invention as taught by Okeya.

The suggestion or motivation for doing so would be to measure time in units of seconds.

28. With respect to claim 19 Okuyama, Sekiya, and Richardson teach the portable information device as recited in claim 18, wherein said index section includes a plurality of hands (figure 1 of Okuyama.)

Okuyama does not disclose said index driving section is configured and arranged to move each of said hands of said index section independently.

Moving each of said hands independently is notoriously well known in the art as is evidenced by Okeya.

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At the time of the invention it would have been obvious to one skilled in the art to control the different arms independently.

The suggestion or motivation would be to allow the time to be set more easily, to reduce the number of gears needed and thus simplify the internal structure, and/or to allow the hands to be used to measure different amounts of time (i.e. the hour hand measures absolute time while the minute hand measures an interval of time such as a race.)

29. With respect to claim 20 Okuyama, Sekiya, Richardson, and Okeya teach the portable information device as recited in claim 18, wherein said index section includes at least a second hand and an additional hand, said index driving section is configured and arranged to include a first driving section configured and arranged to move said second hand and a second driving section configured and arranged to move said additional hand independently from said second hand (71 and 72 figure 1 of Okeya.)

Okuyama does not teach a seconds hand.

Okeya teaches a seconds hand.

At the time of the invention it would have been obvious to one skilled in the art to provide a seconds hand in Okuyama's invention as taught by Okeya.

The suggestion or motivation for doing so would be to measure time in units of seconds.

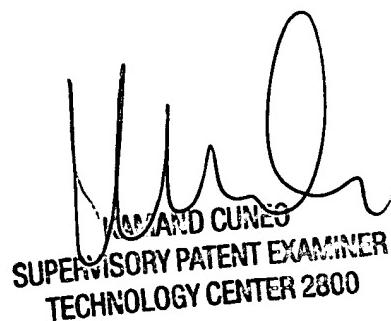
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Kayes whose telephone number is (571) 272-8931. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kammie Cuneo can be reached on (571) 272-1957. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SK  
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